

**Town of *Dunstable* Selectboard**  
**Meeting Minutes**  
**June 7, 2022**  
**Town Hall, Dunstable, MA 01827**

**Convened:** 6:00 pm

**Present:** Kieran D. Meehan, chair, Ronald J. Mikol, vice chair, Leah D. Basbanes, member(s); David DeManche, Interim Town Administrator; James W. Dow, Chief of Police; Joan Simmons, Planning Board; Phil DeNyse, Parks Commission; Harold Simmons, Advisory Board; Tiffany Naughton, Recreation Commission; Erica Flynn

**Call to Order & Public Forum**

Mr. Meehan called the meeting to order. He then briefly went over the agenda which included the Annual Appointments, Discussion of Larter Fields Irrigation System, Reallocation of ARPA Funds to Cover ATM Costs, Discussion with the Chief of Police Regarding Possible Interim Police Lieutenant, Discussion about Green Communities Grant Funding of a Hybrid Police Vehicle, ARPA Agreement with GDRSD & Sub-agreement with GDRHS, Discussion on Potential Earmarks (Town Common Bandstand & Other Ideas), and Selection of Date for Fire Chief and Town Clerk Interviews.

- Ms. Flynn asked a question asked about the potential to sell town property, specifically 160 Pleasant Street, to fund the debt exclusion capital needs of GDRSD. Ms. Simmons noted that that property while not part of the Mixed Use District has been considered as part of the Affordable Housing Project. The Board cautioned it can't answer very much on this as it isn't on the agenda and as a ballot question it could be tricky to answer.

**Discussion of Larter Field Irrigation System**

Mr. DeNyse began with some recent history on the irrigation system. The landscape company services it annually. Not only do they do all the landscaping, they start and then winterize the wells. This spring when the wells were started up there was great difficulty in getting them working. These are unique wells as they are very shallow and called point wells. There are 7 of them, but only 6 are truly needed. Scott Wilkins, a known well driller, was consulted for repairs and things appeared good to go. But then more issues emerged that are beyond the talents of Mr. Wilkins. So they've consulted with another well professional. The Parks & Recreation Commissions have tasked the new consultant with determining what can be done and what would constitute a permanent solution. There may be the need for special equipment. In order to fully understand that they need the consultant to provide an estimate of what is wrong and a proposed solution. The two commissions felt they may be able to absorb that. But the cost of a solution might be more than they can sustain in their budget and could require action by the town as a whole. The Board conceded that these wells have had known issues. The caution was that the turf might burn and fixing that can also be an expense. The Board urged that solutions to keep it properly watered be found. There was a question of how many wells are working and how many aren't. Mr. DeNyse responded 4 of the 7 are working. With 4 or fewer there isn't enough pressure. There was a concern that this might take over a month to resolve. Mr. DeNyse assured the Board that he has been assured the various parts are on hand for this system. The real issue is if we need to replace the entire system. The two commissions have considered digging deeper wells, but given the lands past history they might be required to drill several wells. It could quickly become costly. The Board conceded that noting that one of its members lives nearby and the homes in the area have often struggled with well pressure. Although the water table would be higher at Larter since it was once a gravel pit and the gravel has been removed. Ms. Naughton noted that we may be able to put a band aid on it. It may require spending some money that we'll never get back on it, but it could be worth it to prevent loss of the turf. Mr. DeNyse reminded that with the pressure issue, there may be no band aid possible. The wells are about 300 to 400 feet from the turf. So that's an issue as well. The Board reminded we have little in the way of Free Cash to spend and we're in the last month of the fiscal year. The worry again was losing the turf and the expense of restoring it if we lose it.

Mr. DeNyse noted that the cost so far has been around \$700. But anything beyond that like a new well or new pump is going to cost a lot more. He couldn't speculate except that one of the wells was rebuilt a couple years ago and it was around \$3,000 to his recollection. Mr. DeNyse did report that his colleague, a landscape architect who is on the Parks Commission, Ms. Phelan, is not concerned. She's a bit of an expert on these types of wells and seems to think the grass will be okay. The Board asked what would be done about the cost of landscaping. Mr. DeNyse responded that we'd have them stop cutting, but we'd still have to pay in all likelihood given the contract. Ms. Naughton suggested for the future that we stop having our landscaping companies do the shut off and turn on. These wells need more attention from specialists. The Board generally agreed. It should be explored as an option as it might not be that expensive to find a

*Approved and adopted on 6/21/22*

vender that specializes in it. Mr. DeNyse agreed it could be possible. But for now the focus is on resolving the current problem. Mr. Simmons wasn't sure of that. He outlined a few thoughts on how that could go wrong. Many landscaping companies are able to do the turn on and off. Mr. DeNyse conceded that Ms. Phelan agrees with that position. Ms. Naughton expressed the feeling that part of the problem of contracts is that the vender may when near the end of the contract not pay as much attention. The dilemma of these sorts of public bodies is it is hard for the officials to be present for all maintenance. The Board acknowledged that and expressed support for addressing the issue. The Board asked when the next Parks & Recreation Commission joint meeting would be. Mr. DeNyse responded it would be June 8<sup>th</sup>, 2022. All parties acknowledged Larter Fields importance. It is highly used and residents very much care about it.

### **Reallocation of ARPA Funds to Allow for Payment of Annual Town Meeting Expenses**

Mr. DeManche reported to the Board that the ATM cost about \$1,926. That included \$750 for the sound system, \$645 for rented chairs, \$400 for portable restrooms, and \$131 for printing a budget booklet handout. He recommended the Board create a new category for town meeting expenses out of the ARPA funds and allocated a total of \$9,500. This would pay for the current expenses and leave \$7,500 in funding for any future town meetings which may be required to be held outdoors due to the pandemic. He proposed doing this by changing the amount allocated by the Board for resident household relief. The Board had set aside \$60,000 of its ARPA funds that purpose, so this proposed change would simply reduce that to \$50,500. There would be no change to the other allotments such as those for the proposed water loop or for the school district. The Board asked what funding source was used for prior meetings held outside due to the pandemic. Mr. DeManche responded that the town used CARES Act funds. He then reported on his discussions with the Town Accountant. She agrees these expenses are truly related to the pandemic. We have a set dollar amount, so we have to allocate it. The resident household relief line is the easiest to take it from that. The Board noted we haven't dispensed these funds and it makes sense to take from this. Mr. DeManche elaborated that we could also reallocate the \$7,500 if it ends up not being used. The Board agreed this has to be done. This thus would allocate the following, \$270,000 for GDRSD, \$230,000 for the water main replacement, \$250,000 for the water loop and replacement of pipe, \$20,000 for final design and survey work for the water projects, \$15,000 for technology needed for the pandemic like Zoom, \$30,000 for the MS4 retrofit, \$135,180 for other Stormwater projects, \$7,000 for legal compliance costs, \$2,600 for COVID-19 tests, \$9,500 for town meeting COVID related costs, and \$50,500 for resident utility/household relief.

A motion was made by Mr. Mikol to approve the reallocate as enumerated above. The motion was seconded by Ms. Basbanes and passed unanimously.

### **Discussion with Chief of Police to Consider Creation of Interim Police Lieutenant**

Chief Dow went over what occurred during his recent medical leave and some of the difficulties in determining who should act in his place. He suggested the Board consider the creation of such a position. He is also looking at retiring in the near future and it is important to have a succession plan for the Chief role. Further he felt it important that the department hire from within as it gives all officers the hope of promotion. There are also some things that should be passed by the Chief to a future Chief. Adding this position would allow him to train a successor over time. There are also some requirements under the new reforms that have to be considered. That reform is driving a lot of challenges for police. He felt his department could do this without asking for further funds and he was confident he could make it work as a promotion for a Sergeant. He then reminded the Board that he qualifies for a buyout for his sick time like his predecessor did. That cost was quite a fair amount, around \$15,000 at the time. He proposed that the town could come to an agreement for him to convert his sick time to vacation time and exhaust it that way. Doing this could end up helping save the town as that would just come from his regular salary line. Such savings could also be considered towards the cost of this proposal. He also reminded the Board that Department Heads should be promoted from within wherever possible because not doing so often causes employees to feel like they can't progress in a department and they may therefore not stay for entire careers. A churn can cost the town more in wages over time as market changes happen to wages. The Board asked if this position would be a Union one. Chief Dow noted it would not be and the Union supports that. But to limit any possible issues, it might be worth calling it something different than a Lieutenant. So we could say, call it a Captain. The Board asked about a Deputy Chief noting some surrounding towns have one. Chief Dow responded it's an interim position. His vision isn't that we make a permanent person here. Perhaps once the new Chief is in office the town could consider re-establishing the Lieutenants position on a permanent basis or keeping a Captain. The Board asked about the Union contract and policies on this. Chief Dow elaborated on what each says and the pros and cons. The Board recalled that the department used to have 2 Sergeants and a Lieutenant. We used the funds from abolishing the Lieutenant to pay for a third Sergeant. This prompted a question about how the Chief would do this in his existing budget. Chief Dow responded by promoting one of the Sergeants. Captains, Lieutenants, and Deputy Chiefs in other departments are making more money and wouldn't be interested in this unless we paid more. But as a promotion to an interim rank, that would help because we can pay an existing person more. He suggested further that

doing this allows us to promote that person when he retires and then they can decide how to structure the department. Just as he upon becoming Chief changed to a 3 Sergeant model, a new Chief could either go back to that or they could do something different. The Chief then again stressed we have the talent already. To him this is so important to retention. It makes all officers believe they can aspire to the role. The Board clarified that the intent would be to ultimately restructure. Chief Dow responded yes. Obviously that would be something for a new Chief and the Board to decide. The Board felt comfortable with the idea. Mr. DeManche concurred feeling that this is doable and he supported it. The Board's caveat on this plan was the need to ensure that the funds are there. The Board further noted that the events around the Chief's medical leave do seem to illustrate that this would be helpful. The Board then instructed that Chief Dow run it by Commonwealth officials and Union officials to ensure that this can be done in the manner he is proposing. That said, the Board was more in favor of an Interim Captain over an Interim Lieutenant. This would also probably require a short term contract. The Board concluded that it would move to authorize moving forward with this.

A motion was made by Mr. Mikol to authorize the moving forward with the establishment of an Interim Captains position with the understanding that it is a conditional appointment contingent upon the funds being available and a satisfactory contract be negotiated by the parties. The motion was seconded by Ms. Basbanes and passed unanimously.

#### **Discussion Regarding Use of Green Communities Grant Funding for Purchase of Hybrid Vehicle for Police**

The Board noted this grant has been heavily used by Police and Fire. Chief Dow conceded that noting it's been a very useful grant. The grant has covered items that the town just couldn't do through capital items funded by Free Cash. Mr. DeManche noted he's had discussions with Commonwealth officials. The current contract the town has with the Commonwealth expires in September. As long as it is done prior it shouldn't be an issue as the Commonwealth won't want to conclude an extension unless absolutely necessary. He also confirmed we have the funds. The Board asked how many of the police cruisers are hybrids. He responded 4 of them. Sadly the current prices of gas have not seen that help a whole lot. But our costs haven't really increased. They've gone up due to prices some, but not as much as they might have had we not had these hybrids. One of the benefits of the hybrids is that they don't have to idle as officer's patrol. With all the equipment the officers run, with non-hybrids they would need to idle. The Board asked about the purchasing of the vehicle. Chief Dow responded we have funds built into the department's budget to follow a schedule of replacement and thus we have the funds minus the extra \$5,000 for it to be a hybrid. The Board asked about outfitting the vehicles. Chief Dow elaborated on how that goes. There's always small things as it seems like Ford and other brands intentionally change their cruisers to require new equipment. But he can also repurpose a lot of existing equipment and buy things that help. The Board noted that preventing idling is good for the environment.

#### **ARPA Agreement with GDRSD including a Sub-Recipient Agreement for GDRHS to Distribute Funds**

Mr. DeManche reported that the town when it disburses funds to another governmental body, it must have these agreements including the sub-recipient agreement. It identifies specifically the terms and conditions. It's pretty boilerplate and is essentially a contract and agreement on the funds being provided and how they will be expended. He's tailored the document a little, but otherwise it's the same document as what Groton is using and it has been approved by Town Counsel. Once the agreement is signed the Town Accountant can begin paying the bills that the school will generate expending these funds. The Board saw no reason not to sign it noting it has had time to review the agreement. Ms. Simmons asked if this is the \$270,000 for the school district. The Board responded it is. They'll receive it broken up over two fiscal years, so they'll receive \$135,000 and then another \$135,000.

A motion was made by Ms. Basbanes to endorse the agreement, and authorize the Board's chair to sign it, for the expenditure of ARPA funds. The motion was seconded by Mr. Mikol and passed without objection.

#### **Discussion on Potential Legislative Earmarks – Town Common Bandstand & Other Ideas**

Mr. DeManche reported on his conversations with Sen. Kennedy's office. The General Court was working on its budget and we'd been asked about any necessary earmarks. We sadly didn't have enough time to answer them as they gave us about two days. Thankfully the General Court is putting together a supplemental budget for later this month. Now we aren't guaranteed anything. It's all swept up in negotiations in the General Court. He has floated the idea of the Bandstand repairs as an earmark. This is a focus point of the community and seems worthy. But he suggested that we could always put forward a different idea. Typically these earmarks are for \$30,000 or \$40,000 or \$50,000. They can be as high as \$100,000, but the sweet spot is roughly \$50,000. Mr. DeManche recounted past experience in prior towns on earmarks. Freetown in particular was able to obtain a walk in freezer for its Senior Center. It was ultimately an earmark that was done through DOER. The Board asked if there is any benefit to shovel ready. He responded that can help. Ms. Naughton asked if we could ask for any funds for the Union School Building's restoration. Mr. DeManche responded

that would fall under something like the Massachusetts Historical Grant program. But those can be very detailed and strings attached. Ms. Naughton asked if another idea might be the wells at Larter or some of the buildings there. Mr. DeManche conceded that could be attractive to the General Court. Ms. Simmons asked what the requirements are around the money. Mr. DeManche responded that they try to assign a project to a relative agency or department. So something relating to health would be DPH, if it's energy its DOER, etc. So the earmark essentially goes to that state body and they then work with the town to expend it. Ms. Simmons brought up the dam at Woodward's Mill Pond which is in the Shaw Conservation Area on the intersection of Pleasant Street and Pond Street. The Board responded that dam needs a six figure repair so it wouldn't fit that "sweet spot." Mr. DeManche could see it as possible, but elaborated that they wouldn't likely fund the whole thing if it costs more than \$100,000. Ms. Naughton suggested we could break off a part of the Union School project. There is some glass work that needs to be done. Mr. DeManche conceded that it could be a possible project. Whatever choice we go with we have to know it soon so we can move quickly. As with the last time, the General Court may only give us a day or two to respond. Ms. Simmons asked how far Larter Field is from the water line. Mr. Simmons responded connecting it to the town's water system would be very expensive. The Board felt the Bandstand would probably fit the requirements and be appealing. Larter Field's needs are probably going to require more planning too. We need to ascertain the well issue and the other buildings can likely be done via a CPA project.

### **Selection of Dates for Fire Chief & Town Clerk Interviews**

Mr. DeManche reported on the screening committees work for the Fire Chief. They have selected the subset of candidates to interview and sent letters to those who won't be interviewed. After the interviews the committee will have a pool of candidates for the Board to consider. He recommended the Board plan a meeting for its off week so that it can do interviews with that pool and then make a decision at the June 21<sup>st</sup> meeting. That way we have a Chief ready for July 1<sup>st</sup> when Chief Zbikowski's contract ends. He wasn't certain of the specific date as the committee will need to meet first. But they'll meet on June 8<sup>th</sup>. The Board asked if the meeting should be during the business day or not. Assuming the screening committee has candidates by the end of its meeting on June 8<sup>th</sup>, it was agreed to schedule for June 14<sup>th</sup>. The time should be early afternoon. It was agreed to plan for 2 pm. Ms. Simmons asked who is on the committee. Mr. DeManche detailed the membership which was appointed by the Board. It was also agreed a metric for weighing candidates would be determined in the interim period and Mr. DeManche agreed to field questions. The Board then shifted to the Town Clerk. Mr. DeManche suggested we do this the following period. He felt we'll likely retain Ms. Skerrett through until about July 19<sup>th</sup> due to the Special Town Election. To date we've only had two applications and the market is pretty scarce. If neither of the candidates is what the Board wants or is amendable to what we can pay, we'll either have to re-advertise it or go to a recruiter. But recruiters have costs. There are some municipal focused ones like MRI, which he disclosed he's worked for, and a few other ones. The Board asked how far out Ms. Skerrett is willing to stay. Mr. DeManche responded she'd like a candidate determined by July 15<sup>th</sup>. The Board asked if any of our surrounding towns might be interested in an inter-municipal agreement. Mr. DeManche responded that we'd have to find a comparable community and many of our neighbors are larger and unlikely to be able to spare their Town Clerks. Mr. DeManche responded this is where a consultant might be useful. They would know who might be interested either retirees who want to work part time, or a partnership with another town. The main issue will be commuting. The Board noted that they've heard Groton, which is also looking for a Town Clerk, has had some issues finding suitable candidates. Which affirms Mr. DeManche's comment about scarcity. The Board asked if the two candidates should be considered and if a screening committee is needed. Mr. DeManche responded with this few candidates, we don't need a screening committee. He noted we don't have to focus on someone who has been a Town Clerk. As long as they have municipal experience and assuming they know something about elections, they can learn the job. Mr. Voelker interjected to note someone who's worked as a poll worker could make a good candidate. The most important thing for that office is elections. It was agreed that the Board would look to meet with the two candidates. The Board determined to meet a bit early on June 21 to allow for potential interviews of the two candidates. The time would be 4:30 pm.

### **Appointments & Resignations**

The Board went over the lists for this meeting noting that the tradition is to approve them as presented, or to approve as amended. This allows for an omnibus motion for each list rather than individual motions. The Board also considered the list of Special Police. The town routinely and annually appoints officers from neighboring towns. Chief Dow noted this helps to enable such officers to come to assistance as it provides them greater powers of arrest and citation beyond what they'd otherwise have by default. This meeting will see the Groton Police Department so appointed.

#### **Annual Appointments 2022 One Year Term**

Joseph Dean – Memorials & Monuments  
Dana Metzler – Memorials & Monuments  
Robert Nelson – Town Governance Committee

#### **Annual Appointments 2022 Three Year Term**

Timothy Joyce – Historical Commission  
Nancy Curran – Cultural Council  
Anne Fenochetti – Cultural Council

Leah Basbanes – Town Governance Committee  
Michael Martin – Town Governance Committee  
James W. Dow – Town Governance Committee  
Leo Tometich – Town Governance Committee

A motion was made by Ms. Basbanes to approve the list of Annual Appointments as enumerated and dated June 7<sup>th</sup>, 2022, and to dispense with reading of the list. The motion was seconded by Mr. Mikol and passed without objection.

A motion was made by Mr. Mikol to approve of the Groton Special Police Appointments as enumerated and listed in a letter from the Groton Police Chief dated May 20<sup>th</sup>, 2022, and to dispensing with a reading of the list aloud. The motion was seconded by Ms. Basbanes and passed without objection.

### **Interim Town Administrators Report**

Mr. DeManche reported on recent discussions he's had with the company converting our streetlights. They are pretty close to being finished. The Board noted this project has been ongoing since 2019 and about 11 lights are still left undone. Mr. Voelker noted several of those are being held up due to National Grid. The Board asked Mr. DeManche to bring it up with the company doing the conversion to see that this is completed and we aren't just left without these. Mr. Voelker noted that several of these lights are important to Police. Chief Dow agreed noting the light on the intersection of Pond Street and Pleasant Street should be restored. The Board recalled some of these lights were held up due to some damage of the fixtures during transit. But this really needs to be addressed. Mr. Voelker noted we still pay for the energy for the lights, but that has been decreasing due to the LEDs and the fact that we have solar net metering credits we can allocate to them. But we'll probably need those funds saved to cover overages in other electrical accounts. There was a brief discussion regarding plans for covering the ballot question for the school district if it fails. Ms. Simmons noted that GDRSD's Plan B after being told by the Board it would need one, is a Super Town Meeting. Judging on the Public Forum question, folks will be looking for the town to find the solution. The Board then brought up the continuing issue of trespass by all-terrain vehicles such as 4 wheelers. Chief Dow stated he would talk to the State Environmental Police. This is not easily resolved. These people are willing to build bridges and roads to create access for themselves including damaging wetlands. Mr. Voelker noted that these sorts of people are hard to stop. They are determined. Many property owners have struggled with this. It's a constant arms race. The property owner puts up a gate, they cut trees to get around it. Chief Dow agreed and promised that Police Dept. will continue to do everything it can. The Board members each recalled experiences on this front. They'll run people off athletic trails. Discussion then shifted back to Mr. DeManche's report. He asked the Board to sign the warrant for the STE. It's already called and approved. The warrant just needs signature. He then reported on the opening of bids for the Affordable Housing Project. It'll be 2 pm. The Board noted we need to be careful with this as there is much public attention and this project needs to be done right if it is done at all. Mr. DeManche elaborated on how the selection will go and how we can deal with any potential ethical or legal issues that might arise. He then turned to the audit. We've had the management letter arrive. Some of the things the Auditors have asked to have addressed we've already addressed. The letter will be provided to the Board for its next meeting. The Board noted these are done every year and they always have something, seems like they feel obligated that way since we pay them. Mr. DeManche then finished by mentioning several likely Reserve Fund transfers and a few End of Year ones as well. Board of Health and Parks & Recreation are both likely to need Reserve Fund transfers. Town Hall accounts will definitely require End of Year Transfers.

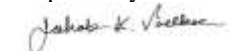
### **Minutes**

The Board reviewed the minutes for May 14<sup>th</sup> and May 24<sup>th</sup>, 2022. The Board seeing no reason not to approve the minutes determined to do so.

A motion was made by Ms. Basbanes to approve the minutes of May 14<sup>th</sup> & May 24<sup>th</sup>, 2022 as written. The motion was seconded by Mr. Mikol and passed without objection.

A motion to adjourn was made by Ms. Basbanes at 8:02 pm. The motion was seconded by Mr. Mikol and passed unanimously.

Respectfully submitted by



Jakob K. Voelker, Assistant Town Administrator

*Approved and adopted on 6/21/22*